

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2026/62/91007/W
Site Address:	2, New Street, Golcar, Huddersfield, HD7 4DZ
Description:	Erection of single storey side and rear extension and extended dropped kerb (within a Conservation Area)
Recommending Officer:	Laura Yeadon

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Emma Thompson

AUTHORISED OFFICER

Date: 05-Jun-2026

Officer Report

[Weblink](#)

Site Description

2 New Street is a two storey detached property located within the Golcar Conservation on the Kirklees Local Plan. The property is constructed from stone with a slate roof and timber openings. The property benefits from a first-floor element which is set upon piers and provides car parking provision underneath. Amenity space is located to the front, side and rear.

The property is set on the junction of Scarhouse Lane and New Street with large trees to the eastern side and rear. The properties surrounding the site vary in terms of size, scale and design.

Description of Proposal

The application is for the erection of a single storey side and rear extension and extended dropped kerb. From viewing the plans, the proposed extension appears to be more akin to a side extension rather than a side and rear extension.

The existing and proposed plans submitted within the application indicate that the works would include partially infilling the underside of the first-floor element within the existing piers. The front elevation of the infilling would be set back from the front elevation of the property by approximately 3.5 metres and would span the depth of the property lying flush with the existing rear elevation of the property. To the rear of the property is an existing projecting element with the proposed extension lying flush with this part of the dwelling in terms of projection, eaves height and ridge height.

Openings are proposed within the rear elevation wall and the rear elevation roof slope with no proposed openings within the front and rear elevations. The proposed construction materials would be stone for the walls, slate for the roof with timber openings.

It is demonstrated on plan that the strip of land to the eastern side of the property where an existing shed and bin storage is located would have raised tarmac to provide additional parking and that the existing dropped kerb would be extended from a width of 4.5 metres to 6 metres. It is also noted that a stone retaining wall is proposed within this area of land which appears to which appears to be located to the rear of the bin storage area.

Officer Note – This strip of land is not within the red line boundary as approved by planning permission reference 2014/92317. No application has been submitted to formally change the use of this land to residential curtilage of the property nor has an application been submitted for a Certificate of Lawful Development to establish that the use is lawful. As such, the works within the

strip of land located adjacent to the proposed extension whilst included within the red line boundary of this application do not form a material consideration in terms of the assessment of this application.

History of negotiations/amendments received

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format.

Relevant Planning History

2007/95290 – Outline application for erection of one dwelling (within a Conservation Area) – Refused

2009/90866 – Outline application for erection of one dwelling (within a Conservation Area) – Conditional Outline Permission

2012/91216 – Extension of time limit to previous permission 2009/90866 for outline application for erection of one dwelling – Conditional Outline Permission

2014/92317 – Demolition of two disused garages and erection of detached dwelling (within a Conservation Area) – Conditional Full Permission

2015/91835 – Discharge conditions 3 (roofing materials) , 8 (sightline), 9 (boundary), 11 (floor levels), 16 (landscaping), 19 (surface water) on previous permission 2014/92317 for demolition of two disused garages and erection of detached dwelling (within a Conservation Area) – Approved

2018/94088 – Erection of single storey side extension (within a Conservation Area) – Conditional Full Permission

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via site notice and newspaper advertisement.

Final publicity date expired 30th May 2026

Parish/ Town Council – not applicable

As a result of the public consultation period 2 representations have been received with the summary of comments set out below:

- Not clear on the intended height or width of the stone wall which will be located on the left hand side of the new driveway on the plans
- Assuming the front face of this wall will sit on the boundary line this will make the driveway space much smaller than the minimum width of the driveway stipulated on the website
- House is already too big for the plot it stands on

- There is no space to accommodate the type of vehicle used by a construction team within the vicinity without the surrounding roads becoming unsafe.
- Noise and dust will not be contained sufficiently
- Property is on a tight corner, residents getting on and off New Street will struggle as there is already inconsiderate parking by residents of Scarhouse Lane
- No other access to get on New Street other than that junction

Consultation Responses

K.C. Trees – No objection subject to a note being attached to the decision notice advising the applicant that any works to trees would require a tree works application due to the Tree Preservation Order status.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is within the Golcar Conservation Area on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** - Parking
- **LP 24** – Design
- **LP 30** - Biodiversity and geodiversity
- **LP 33** - Trees
- **LP 35** – Historic environment

Supplementary Planning Documents:

- Highways Design Guide SPD
- House Extensions and Alterations SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published in December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change.
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity and Conservation Area
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to

secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

The site is located within the Golcar Conservation Area, therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered, which requires Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

Policy LP35 of the Kirklees Local Plan states that:

'Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposal would bring substantial public benefits that clearly outweigh the harm.'

In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design, including the adopted Kirklees Supplementary Planning Document on House Extensions (SPD).

Within the adopted SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual amenity and are considered within the following report. These policies state the following:

- Principle 1 – that “extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”
- Principle 2 – that “extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”

With specific regard to the House Extensions and Alterations SPD the key design principles for consideration are:

- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment

- Key design principle 13: Vegetation and tree planting
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

With specific regard to the proposed development the SPD states that in terms of single storey side extensions, the SPD states:

Section 5.17 of the SPD refers to the general rules, where single storey side extension should:

- not extend more than two thirds of the width of the original house;
- not exceed a height of 4 metres;
- and be set back at least 500mm from the original building line to allow for a visual break.

The above listed policies and guidance within the SPD are taken into account within sections below of this report.

2 – Impact on visual amenity and Conservation Area:

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

This is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

The proposed works for the construction of the extension would be within the existing footprint of the existing dwelling, effectively partially infilling the existing ground floor void within the property. As the front wall of the extension would be set back from the front elevation of the property itself, the proposed works would have a neutral impact on the street scene. The rear elevation of the extension would replicate the existing and would be mainly shielded from view due to the dense vegetation surrounding the property which is protected by Tree Preservation Orders by virtue of being located within a Conservation Area. The proposal is considered modest and would partially utilise the space used for parking as accommodation, integral to the host property.

In terms of the requirements of the SPD, the extension would not extend more than two thirds of the width if the original house and it would be set back from the original building by more than 500mm. The proposed construction materials would match the host dwelling and therefore, it is considered that the proposal would be compliant.

The extension is considered to relate satisfactorily to the host building and have an acceptable impact on visual amenity and the wider Conservation Area, in accordance with the requirements of policies LP1, LP2, LP24 and LP35 of the

Kirklees Local Plan, having regard to principles 1, 2, 7 and 9 of the Supplementary Planning Document on House Extensions (SPD) and policies within Chapters 12 and 16 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The proposed extension is sited away from other residential properties and due to its orientation, siting and subservient design, is not considered to cause undue harm from overshadowing or by being overbearing.

In terms of overlooking, one window is proposed within the rear elevation of the extension and within its lean-to roof. As the proposal would not decrease any established separation distances, it is not considered that the works would cause significant harm from overlooking.

Therefore, it is considered that the proposed extension is acceptable in terms of residential amenity. It is considered there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and the proposal would accord with the aims of policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document as well as policies within chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

In this case it is unclear as to whether or not the proposed accommodation within the extension would provide additional bedroom accommodation which may increase the demand for additional off-street car parking or not.

However, the scheme is similar to that approved under application 2018/94088 which has since lapsed as works have not commenced.

As mentioned above there is a strip of land to the eastern side of the dwelling which is not within the red line boundary as approved by planning permission reference 2014/92317. No application has been submitted to formally change

the use of this land to residential curtilage of the property nor has an application been submitted for a Certificate of Lawful Development to establish that the use is lawful. As such, the works within the strip of land located adjacent to the proposed extension whilst included within the red line boundary of this application do not form a material consideration in terms of the assessment of this application. Therefore, whilst parking is shown in this area, this does not form part of the highway assessment of the proposal.

The 2018 application acknowledged the loss of a parking space and the inability to meet the existing space standards for off-street parking, however, it was noted that *'there is an abundance of unrestricted on street parking availability on New Street and the loss of one of the spaces is deemed, on balance, acceptable.'* Therefore, on balance, it is considered that the loss of one parking space in this case is acceptable, in line with the previous approved planning application.

5 – Other matters:

Climate Change - Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

A Climate Change Statement has been submitted within the application.

Biodiversity – Paragraphs 180, 186, 187 and 188 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. This is due to the fact that albeit the extension will connect into the existing roof, the property in this case appears to be well sealed and maintained with little opportunity for bats.

This is due to the fact the extension would have no impact on the existing roof structure of the host property as the proposal is single storey.

However, as a cautionary measure, and to ensure accordance with the aims of Chapter 15 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

Coal legacy – The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with paragraphs 186 and 191 of the National Planning Policy Framework.

Trees – Trees located within a Conservation Area are protected by Tree Preservation Orders by their siting within a protected area. Therefore, the Council's Tree Officer was consulted as part of the application process and stated that whilst the proposals are within very close proximity to TPO 15/14 trees the presence of the existing tarmacked areas and building will have deterred any root activity progressing into the footprint of the proposals. This means any excavations to implement foundations for the new wall should not interfere with any trees roots. The raising of the levels to the tarmacked drive again shouldn't pose any impact on the trees rooting system as the area is already covered and root activity should be minimal. Subsequently there would be no need for any arboricultural documentation as the impacts will be minimal. However, if any pruning to the adjacent trees is required then this should be submitted via a tree works application due to the trees TPO status.

As such, a footnote shall be added to the decision notice for the attention of the applicant.

6 – Representations:

Two representations have been received with the following being a summary of concerns and LPA response:

- Not clear on the intended height or width of the stone wall which will be located on the left hand side of the new driveway on the plans

Comment – this has been addressed above

- Assuming the front face of this wall will sit on the boundary line this will make the driveway space much smaller than the minimum width of the driveway stipulated on the website

Comment – this has been addressed above

- House is already too big for the plot it stands on

Comment – noted

- There is no space to accommodate the type of vehicle used by a construction team within the vicinity without the surrounding roads becoming unsafe

Comment – due to the size and scale of the proposed works, construction work vehicles do not form a material consideration for this type of application

- Noise and dust will not be contained sufficiently

Comment - due to the size and scale of the proposed works construction noise and dust do not form a material consideration for this type of application

- Property is on a tight corner, residents getting on and off New Street will struggle as there is already inconsiderate parking by residents of Scarhouse Lane

Comment – noted, inconsiderate parking cannot be controlled by the LPA.

- No other access to get on New Street other than that junction

Comment – noted. This would not result in any additional harm to highway safety.

7 – Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/91007

Officer Recommendation: Approve

Conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP33 and LP35 of the Kirklees Local Plan, principles 1, 2, 3, 4, 5, 6, 7, 9, 12, 13, 15, 16 and 17 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with Policies within Chapters 2, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and the Golcar Conservation Area and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and advice within the National Planning Policy Framework.

NOTE: Notwithstanding the submitted plans, this permission does not extend to any works within the strip of land to the eastern side of the application site. This area of land was not granted as residential curtilage as part of permission reference 2014/92317 and no application has been submitted to change the use of this land. The applicant is advised that should works be carried out within this area of land, regularisation of the use of the land is required.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: The granting of planning permission does not convey with it, the right to build on land not owned by the applicant. It is the applicant's responsibility to ensure that he or she is legally entitled to carry out the approved development.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as

Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: The trees within and/or adjacent to the site are protected via Tree Preservation Order. A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage
- wilful destruction

of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed. In the Secretary of State's view, cutting roots is also a prohibited activity and requires the authority's consent.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	NS-01		13 th April 2026
Existing ground floor plan	NS-02		13 th April 2026
Proposed ground floor plan	NS-03		13 th April 2026
Existing and proposed elevations	NS-04		13 th April 2026
Climate Change Statement	Appendix A		13 th April 2026
Heritage/Design Statement			13 th April 2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Report Dated:

3rd June 2026

Coal – low